for destitute children was held not to be void as local or special legislation when it was for the benefit of all children of the class within the state generally. The case seems completely to cover the question here. The object of the statute in the principal case is clearly to provide for the welfare and training of the children. This has too long been a recognized public purpose to admit of doubt, and the question of whether the mother is as proper a guardian of the child as a corporation seems too close to admit of judicial doubt in determining the constitutionality of the tax. The case is undoubtedly stronger than those above, holding taxation for the cure of drunkards constitutional.

TRUSTS—WRONGDOER NOT PERMITTED TO PROFIT BY HIS CRIME—ESTATE BY ENTIRETIES.—One was seised of land by entireties with his wife. He murdered her and killed himself immediately afterwards. The wife's heirs brought suit in equity to have themselves declared owners of the land. The husband's heirs defended on the grounds that the murder was not committed with the intent to get the deceased's property, and that, as it passed by descent and not by will, the law should not deprive them of it. *Held,* plaintiff's prayer should be granted; one cannot profit by his own wrongdoing, whether he takes by descent or by will, and whether he commits the murder with the intent to enrich himself or with some other felonious design. *Van Alstyne* v. *Tuffy,* (N. Y., 1918), The Daily Record, Feb. 23, 1918.

Whether a slayer may take or keep the property of his victim has been much debated in the courts since *Owens* v. *Owens,* 100 N. C. 240 (decided in 1888), holding that he may, and *Riggs* v. *Palmer,* 115 N. Y. 506, which arose the following year, holding that he may not. The English courts have had no difficulty with the matter. The one who commits murder or manslaughter can get nothing, *Estate of Hall,* [1914] Pro. 1. The case of *In Re Houghton,* (1915), 2 Ch. 173, did allow an insane killer to inherit, but it is easily reconcilable on the facts, for the slayer was not brought to trial, but was placed in an insane asylum, and Joyce, J., who wrote the decision, says, that even "if he had been found guilty of the act, he would not have been found guilty of any offense." The Roman law origin of the doctrine that the slayer shall not take, and its development in modern times, are treated of in 7 MICH. L. REV., 160; and in 13 MICH. L. REV., 336. New York has steadfastly held this view since *Riggs* v. *Palmer, supra,* though it is not the weight of authority in the United States. The New York Surrogate Court, in *Matter of Wolf,* 88 Misc. (N. Y.) 433, ventured the opinion that unless the death were caused with intent to profit, the laws of succession should not be interfered with. That decision is expressly repudiated in the principal case. Tennessee follows the general doctrine of *Riggs* v. *Palmer.* See *Box* v. *Lanier,* 112 Tenn. 393. But in a case exactly like the principal case, it allowed the husband's heirs to take the land which had been held by entireties, on the reasoning that persons so seised are seised *per tout et non per my,* and that to take the property from the survivor would be to exact a forfeiture on commission of a crime, which it could not countenance; *Beddingfield*

v. *Estill and Newman,* 118 Tenn. 40. This however, gives the wrongdoer a surviving interest in property which it is by no means certain he would have gotten but for his crime. A means of avoiding the difficulty is to hold the husband a constructive trustee during his life of the interest which was his wife's, and on his death to give the entire estate to the heirs of the wife, on the presumption that she would have outlived him but for his causing her death. This theory is advanced by James Barr Ames in 36 AMER. L. REG. and REV. (N. S.) 225, 238.

WORKMEN'S COMPENSATION—ADMIRALTY—RIGHT TO COMPENSATION.—Petitioner, a longshoreman in the service of defendants who were stevedores, was injured while unloading a ship lying at a dock in navigable waters. He claimed compensation under the state Workmen's Compensation Act. On the ground that such Acts are not applicable to injuries received while within the jurisdiction of admiralty the court decided that petitioner should not recover. On rehearing it was *held* that under the Amendment of October, 1917 (Act of Congress October 6, 1917, c. 97, 40 Stat. 395) of the Judicial Code, petitioner should recover. *Veasey* v. *Peters, et al.,* (La., 1918), 77 So. 948.

The first decision was, of course, based on *Southern Pacific Co.* v. *Jensen,* 244 U. S. 205. See comment thereon in 15 MICH. L. REV. 657. The Supreme Court there held that such state legislation does not extend to navigable waters over which there is admiralty jurisdiction, and further that a claim for compensation under the Act is not a "right of a common-law remedy" within the saving clause of the original judiciary act conferring upon the Federal District Courts "exclusive original cognizance of all civil causes of admiralty and maritime jurisdiction, * * * saving to suitors, in all cases, the right of a common-law remedy, where the common law is competent to give it." Act, Sept. 24, 1789, c. 20, section 9, 1 Stat. 73, 76. Jud. Code, section 24 (3), 36 Stat. 1087, 1091, c. 231. In October, 1917, Congress amended that act by adding "And to claimants the rights and remedies under the Workmen's Compensation law of any state". The original decision in the principal case was announced June 30, 1917. On the rehearing the court considered the October amendment applicable to the case. In the opinion on rehearing the court also sought to distinguish the case from the *Jensen Case,* in that the proceeding in the earlier case was against the ship while here it was against individuals. The court was in error in this; the *Jensen Case* was not a proceeding *in rem.* There was a further suggestion that the employment of the petitioner here was not maritime in nature, so there was no admiralty jurisdiction, and *Atlantic Transport Co.* v. *Imbrovek,* 234 U. S. 52, was explained on the ground that there the injured party was loading the ship while here he was unloading. That distinction the court, however, failed to observe had been foreclosed by the decision in the *Jensen Case* where the injured employee also was engaged in unloading.